

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1309

Introduced by Senator Scott
(Principal coauthor: Senator Perata)

February 16, 2006

An act to amend ~~Section 69616.3 of, and Sections 69433.5, 69616, 69616.1, 69616.2, 69616.3, 69616.4, 69616.5, and 87482 of,~~ to amend and renumber the heading of Article 5.6 (commencing with Section 69616) of Chapter 2 of Part 42 of, ~~the Education~~ to add Article 10 (commencing with Section 33430) to Chapter 3 of Part 20 of, to add Article 6.3 (commencing with Section 69439.3) to Chapter 1.7 of Part 42 of, to add Article 3.51 (commencing with Section 78260), Article 3.52 (commencing with Section 78261), and Article 3.53 (commencing with Section 78262) to Chapter 2 of Part 48 of, and to add Article 7.7 (commencing with Section 89267) to Chapter 2 of Part 55 of, the Education Code, and to add Article 5 (commencing with Section 128050) to Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1309, as amended, Scott. Nursing education: *Health Science and Medical Technology Project: Cal Grant Program: State Nursing Assumption Program of Loans for Education: California Community Colleges.*

(1) *Existing law establishes programs of nursing education at public and private institutions of higher education.*

This bill would express legislative intent with respect to expanding the capacity of the state's institutions of higher education to prepare students for nursing careers.

(2) Existing law establishes the State Department of Education under the administration of the State Board of Education and the Superintendent of Public Instruction, and provides the department with numerous duties and responsibilities with respect to statewide administration of public elementary and secondary education programs and services.

This bill would establish a Health Science and Medical Technology Project to provide competitive grant funds to California public schools offering grades 7 to 12, inclusive, to enhance existing or establish new health-related career pathway programs, including programs at California Partnership academies and regional occupational centers and programs, as well as other health science and medical technology pathway programs. The bill would express legislative intent with respect to the funding of this project.

(3) Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

Existing law, known as the Ortiz-Pacheco-Poohigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. An existing provision of the act prohibits an applicant for a Cal Grant award from receiving more than one type of Cal Grant Program award concurrently.

This bill would provide that a Cal Grant N award consists of a one-time stipend of \$500 awarded to Cal Grant recipients who are enrolled in a program of nursing education. The bill would specify the uses to which the stipend could be used. The bill would exempt recipients of Cal Grant N awards from the provision that prohibits applicants from receiving more than one type of Cal Grant Program award concurrently.

(4) Existing law establishes the State Nursing Assumption Program of Loans for Education (SNAPLE), administered by the commission,

under which any person enrolled in an institution of postsecondary education and participating in that loan assumption program is eligible to receive a conditional warrant for loan assumption, to be redeemed upon becoming employed as a full-time nursing faculty member at a California college or university.

Among other things, the SNAPLE act establishes eligibility requirements, *including the receipt of a graduate degree from an accredited, participating institution before loan assumption payments may be made*, limits each participant in the program to one loan assumption agreement, and provides for a progressive assumption of the amount of the loan over 3 *consecutive* years of teaching, up to a total loan assumption of \$25,000. The SNAPLE act requires the commission to report annually to the Legislature, and states the intent of the Legislature that, commencing with the 2006–07 fiscal year, funding necessary for the administration of the program shall be included within the annual budget of the commission.

This bill would *amend the SNAPLE act to authorize the award of loan assumption agreements under the program to undergraduate students and to authorize the making of loan assumption payments to applicants who have taught on a part-time basis for the equivalent of 3 full-time academic years. The bill would authorize the extension of the term of a loan assumption agreement if a natural disaster prevents a program participant from completing one of the years of required teaching service. The bill would express the intent of the Legislature that the amendments made by the bill apply retroactively to existing loan assumption agreements made under the program, and would authorize the commission to amend any existing loan assumption agreements and to issue new loan assumption agreements to conform to this bill. The bill would also make various technical, nonsubstantive changes in the SNAPLE act.*

~~(2)–~~

(5) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law requires the board of governors to appoint a chief executive officer, known as the Chancellor of the California Community Colleges. Existing law establishes community college districts throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts.

The bill would establish the California Community Colleges Nursing Faculty Recruitment and Retention Program for purposes of facilitating the recruitment and retention of qualified nursing faculty. The bill would express legislative intent with respect to the funding of this program.

(6) Existing law authorizes the governing board of a community college district to employ any qualified individual as a temporary faculty member for a complete school year, but prohibits the employment of a person under this provision for more than 2 semesters or 3 quarters within any period of 3 consecutive years.

This bill would exempt persons serving as clinical nursing faculty from this limit, and instead limit these persons to employment under this provision for up to 4 semesters or 6 quarters within any period of 3 consecutive academic years between July 1, 2007, and June 30, 2014. The bill would require the Chancellor of the California Community Colleges to report to the Legislature and the Governor on or before September 1, 2012, on specified topics related to this provision.

(7) Existing law establishes the California State University under the administration of the Trustees of the California State University, and provides for the operation of 25 component institutions of the university.

This bill would express legislative intent with respect to the expansion and funding of baccalaureate degree nursing programs of the university.

(8) Existing law establishes the Office of Statewide Health Planning and Development, which is charged with the administration of health policy and planning.

This bill would provide for the establishment of a healthcare workforce clearinghouse under the administration of the Office of Statewide Health Planning and Development. The bill would provide that the clearinghouse would serve as the central source of health care workforce and educational pipeline data in the state. The bill would also provide that the clearinghouse would be responsible for the collection, analysis, and distribution of information on the educational and employment trends for health care occupations in the state. The bill would specify the data to be collected under the program, and would require the office to provide an annual report to the Legislature on prescribed topics related to the clearinghouse.

(9) The bill would appropriate, without regard to fiscal years, an unspecified sum from the General Fund to the Chancellor of the California Community Colleges to administer a contract entered into to develop regional computer clinical placement and clinical faculty resource center systems and to administer a matching grant program, and to allocate funds under that program to community college districts to establish or expand clinical nursing simulation laboratories, as prescribed.

To the extent the funds appropriated by this bill are allocated to a community college district, as defined by existing law for purposes of Section 8 of Article XVI of the California Constitution, those funds may be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) *The Legislature hereby finds and declares*
2 *that California is facing a health care crisis of immense*
3 *proportion in major part due to a critical shortage of registered*
4 *nurses. California currently ranks 49th among states in nurses*
5 *per capita. This shortage is expected to increase over the next*
6 *five years due to the aging of both the general population and of*
7 *the nursing workforce. It is estimated that, in order to fill the*
8 *projected shortage, California will need to graduate an*
9 *additional 3,300 nurses a year.*
10 (b) *Furthermore, state educational institutions do not*
11 *currently have the capacity to meet California's nursing*
12 *workforce needs. Schools are filled to capacity and have long*
13 *waiting lists. A shortage of faculty and clinical facilities makes it*
14 *difficult for schools to expand their programs. A significant*
15 *number of students fail to complete registered nursing programs*
16 *because of a lack of preparation, limited program support*
17 *services, and college admission policies.*
18 (c) *The Legislature also finds that diversity in the health care*
19 *workforce is essential to providing quality access to health care*
20 *to the multicultural and ethnic communities in the state.*

1 (d) Therefore, the Legislature declares its intent to expand the
2 number of nurses educated in California over the next five years
3 by accomplishing all of the following:

4 (1) Expanding the capacity of health career programs at the
5 secondary level.

6 (2) Increasing nursing education enrollment in community
7 colleges and the California State University system.

8 (3) Recruiting and retaining nursing faculty.

9 (4) Streamlining the clinical placement process and thereby
10 increasing clinical placement opportunities for both students and
11 hospitals.

12 (5) Enhancing financial assistance for nursing students and
13 nurses choosing to become nursing faculty.

14 (6) Providing additional resources to community colleges to
15 reduce program attrition.

16 (7) Creating a statewide health workforce database to monitor
17 workforce supply and demand issues and educational capacity to
18 meet workforce needs.

19 SEC. 2. Article 10 (commencing with Section 33430) is added
20 to Chapter 3 of Part 20 of the Education Code, to read:

21
22 Article 10. Health Science and Medical Technology Project
23

24 33430. (a) This article establishes the Health Science and
25 Medical Technology Project, administered by the California
26 Department of Education to provide competitive grant funds to
27 California public schools offering grades 7 to 12, inclusive, to
28 enhance existing or establish new health-related career pathway
29 programs. Programs eligible for funding include, but are not
30 necessarily limited to, California partnership academies and
31 regional occupational centers and programs, as well as other
32 health science and medical technology pathway programs. Grant
33 recipients shall, at a minimum, offer a coherent sequence of
34 standards-based academic and Career Technical Education
35 coursework in selected pathways that will result in higher levels
36 of achievement, technical skills, and knowledge necessary for
37 students to pursue a full range of health care employment at
38 support technical, or professional levels.

39 (b) Funding provided for the purposes of this article shall be
40 used for any of the following purposes: standards-based

1 *curriculum development, a sequence of courses in selected*
2 *pathways, program articulation in grades 7 to 14, inclusive,*
3 *material and equipment, student support, work-based learning*
4 *experiences, and professional development.*

5 SEC. 3. Section 69433.5 of the Education Code is amended to
6 read:

7 69433.5. (a) Only a resident of California, as determined by
8 the commission pursuant to Part 41 (commencing with Section
9 68000), is eligible for an initial Cal Grant award. The recipient
10 shall remain eligible for award renewal only if he or she is a
11 California resident, in attendance, and making satisfactory
12 academic progress at a qualifying institution, as determined by
13 the commission.

14 (b) A part-time student shall not be discriminated against in
15 the selection of Cal Grant Program award recipients, and an
16 award to a part-time student shall be approximately proportional
17 to the time the student spends in the instructional program, as
18 determined by the commission. A first-time Cal Grant Program
19 award recipient who is a part-time student shall be eligible for a
20 full-time renewal award if he or she becomes a full-time student.

21 (c) Cal Grant Program awards shall be awarded without regard
22 to race, religion, creed, sex, or age.

23 (d) ~~No~~ Except as provided in Article 6.3 (commencing with
24 Section 69439.3), no applicant shall receive more than one type
25 of Cal Grant Program award concurrently. Except as provided in
26 Section 69440, no applicant shall:

27 (1) Receive one or a combination of Cal Grant Program
28 awards in excess of the amount equivalent to the award level for
29 a total of four years of full-time attendance in an undergraduate
30 program, except as provided in Section 69433.6.

31 (2) Have obtained a baccalaureate degree prior to receiving a
32 Cal Grant Program award, except as provided in Section 69440.

33 (e) A Cal Grant Program award, except as provided in Section
34 69440, may only be used for educational expenses of a program
35 of study leading directly to an undergraduate degree or
36 certificate, or for expenses of undergraduate coursework in a
37 program of study leading directly to a first professional degree,
38 but for which no baccalaureate degree is awarded.

39 (f) Commencing in 1999, the commission shall, for students
40 who accelerate college attendance, increase the amount of award

1 proportional to the period of additional attendance resulting from
2 attendance in classes that fulfill requirements or electives for
3 graduation during summer terms, sessions, or quarters. In the
4 aggregate, the total amount a student may receive in a four-year
5 period may not be increased as a result of accelerating his or her
6 progress to a degree by attending summer terms, sessions, or
7 quarters.

8 (g) The commission shall notify Cal Grant award recipients of
9 the availability of funding for the summer term, session, or
10 quarter through prominent notice in financial aid award letters,
11 materials, guides, electronic information, and other means that
12 may include, but not necessarily be limited to, surveys,
13 newspaper articles, or attachments to communications from the
14 commission and any other published documents.

15 (h) The commission may require, by the adoption of rules and
16 regulations, the production of reports, accounting, documents, or
17 other necessary statements from the award recipient and the
18 college or university of attendance pertaining to the use or
19 application of the award.

20 (i) A Cal Grant Program award may be utilized only at a
21 qualifying institution.

22 *SEC. 4. Article 6.3 (commencing with Section 69439.3) is*
23 *added to Chapter 1.7 of Part 42 of the Education Code, to read:*
24

25 *Article 6.3. Cal Grant N Program*
26

27 *69439.3. (a) A Cal Grant N award shall consist of a one-time*
28 *stipend of five hundred dollars (\$500) awarded to Cal Grant*
29 *recipients who are enrolled in a program of nursing education.*
30 *This stipend may be used by an awardee to cover one-time costs*
31 *associated with attending nursing school, including, but not*
32 *necessarily limited to, the purchase of uniforms, shoes, and*
33 *medical supplies, and making arrangements for drug screening*
34 *and physical examinations and for a background check.*

35 *(b) The commission shall develop and distribute a form*
36 *verifying enrollment in a nursing program that Cal Grant*
37 *recipients who are nursing students may complete and send to*
38 *the commission.*

39 *(c) Cal Grant N awards shall supplement, and not supplant,*
40 *other sources of financial aid for their recipients.*

1 (2) The participant shall be a California resident attending an
2 eligible school or college.

3 (3) The participant shall be making satisfactory academic
4 progress.

5 (4) The participant shall have complied with United States
6 Selective Service requirements.

7 (5) The participant shall not owe a refund on any state or
8 federal educational grant or have delinquent or defaulted student
9 loans.

10 (b) Any person enrolled in an institution of postsecondary
11 education and participating in the loan assumption program set
12 forth in this article may be eligible to receive a conditional
13 warrant for loan assumption, to be redeemed pursuant to this act
14 upon becoming employed as a full-time nursing faculty member
15 at a California college or university or the equivalent of full-time
16 service as a nursing faculty member employed part-time at ~~two~~
17 *one* or more California colleges or universities.

18 (c) (1) The commission shall award loan assumption
19 agreements to *undergraduate* students with demonstrated
20 academic ability and financial need, as determined by the
21 commission pursuant to Article 1.5 (commencing with Section
22 69503), *and to graduate students with demonstrated academic*
23 *ability*.

24 (2) The applicant shall have completed a baccalaureate degree
25 program or be enrolled in an academic program leading to a
26 baccalaureate level or a graduate level degree.

27 (3) The applicant shall be currently enrolled in or admitted to
28 a program in which he or she will be enrolled on at least a
29 half-time basis each academic term as defined by an eligible
30 institution. The applicant shall agree to maintain satisfactory
31 academic progress.

32 (4) The applicant shall have been judged by his or her
33 postsecondary institution to have outstanding ability on the basis
34 of criteria that may include, but need not be limited to, any of the
35 following:

36 (A) Grade point average.

37 (B) Test scores.

38 (C) Faculty evaluations.

39 (D) Interviews.

40 (E) Other recommendations.

1 ~~(5) In order to meet the costs of obtaining a graduate degree,~~
2 the applicant shall have received, or be approved to receive,
3 a loan under one or more of the following designated loan
4 programs:

5 (A) The Federal Family Education Loan Program (20 U.S.C.
6 Sec. 1071 et seq.).

7 (B) The Federal Direct Loan Program.

8 (C) Any loan program approved by the commission.

9 (6) The applicant shall have agreed to teach nursing on a
10 full-time basis at one or more accredited California colleges or
11 universities for at least three ~~consecutive~~ years, or ~~five part-time~~
12 ~~on a part-time basis for the equivalent of three full-time~~
13 ~~academic years, immediately commencing no more than 12~~
14 ~~months~~ after obtaining ~~a graduate~~ an academic degree.

15 (7) An applicant who teaches on less than a full-time basis
16 may participate in the program, but is not eligible for loan
17 repayment until that person teaches for the equivalent of a
18 full-time academic year.

19 (d) A person participating in the program pursuant to this
20 section shall not receive more than one loan assumption
21 agreement.

22 SEC. 8. *Section 69616.2 of the Education Code is amended to*
23 *read:*

24 69616.2. The commission shall commence loan assumption
25 payments pursuant to this article upon verification that the
26 applicant has fulfilled all of the following:

27 (a) The applicant has received a *baccalaureate degree or a*
28 graduate degree from an accredited, participating institution.

29 (b) The applicant has provided the equivalent of full-time
30 nursing instruction at one or more regionally accredited
31 California colleges or universities for one academic year or the
32 equivalent.

33 (c) The applicant has met the requirements of the loan
34 assumption agreement and all other conditions of this article.

35 ~~SEC. 2.~~

36 SEC. 9. *Section 69616.3 of the Education Code is amended to*
37 *read:*

38 69616.3. The terms of the loan assumptions granted under
39 this article shall be as follows, subject to the specific terms of
40 each loan assumption agreement:

1 (a) After a program participant has completed one academic
2 year, or the equivalent of full-time teaching nursing studies, at
3 one or more regionally accredited, eligible California colleges or
4 universities, the commission shall assume up to eight thousand
5 three hundred thirty-three dollars (\$8,333) of the outstanding
6 liability of the participant under one or more of the designated
7 loan programs.

8 (b) After the program participant has completed two
9 consecutive academic years, or the equivalent of full-time
10 teaching, at one or more regionally accredited California colleges
11 or universities, the commission shall assume up to an additional
12 eight thousand three hundred thirty-three dollars (\$8,333) of the
13 outstanding liability of the participant under one or more of the
14 designated loan programs, for a total loan assumption of up to
15 sixteen thousand six hundred sixty-six dollars (\$16,666).

16 (c) After a program participant has completed three
17 consecutive academic years, or the equivalent of full-time
18 teaching, at one or more regionally accredited California colleges
19 or universities, the commission shall assume up to an additional
20 eight thousand three hundred thirty-four dollars (\$8,334) of the
21 outstanding liability of the participant under one or more of the
22 designated loan programs, for a total loan assumption of up to
23 twenty-five thousand dollars (\$25,000).

24 (d) *The commission may assume liability for loans received by*
25 *the program participant to pay for the costs of obtaining the*
26 *program participant's undergraduate and graduate degrees.*

27 (e) *The term of the loan assumption agreement shall be no*
28 *more than 10 years from the date on which the agreement was*
29 *executed by the program participant and the commission*

30 SEC. 10. Section 69616.4 of the Education Code is amended
31 to read:

32 69616.4. (a) Except as provided in subdivision (b), if a
33 program participant fails to complete a minimum of three
34 ~~consecutive~~ academic years of teaching *on a full-time basis, or*
35 *the equivalent on a part-time basis*, as required by this article
36 under the terms of the agreement pursuant to paragraph (6) of
37 subdivision (c) of Section 69616.1, *the loan assumption*
38 *agreement is no longer effective and shall be deemed terminated,*
39 *and the commission shall not make any further payments. The*
40 ~~participant shall repay loan forgiveness benefits previously~~

1 ~~provided through this program and~~ resume responsibility for any
2 remaining loan obligations, *but shall not be required to repay*
3 *any loan payments previously made through this program.*

4 (b) Notwithstanding subdivision (a), if a program participant
5 becomes unable to complete one of the three ~~consecutive~~ years of
6 teaching service *on a full-time basis, or the equivalent on a*
7 *part-time basis*, due to a serious illness, pregnancy, or other
8 natural causes, ~~the participant shall receive a deferral of the~~
9 ~~resumption of full liability for the loan term of the loan~~
10 *assumption agreement shall be extended* for a period not to
11 exceed one academic year. *The commission shall make no further*
12 *payments under the loan assumption agreement until the*
13 *applicable teaching requirements specified in Section 69616.3*
14 *have been satisfied.*

15 (c) *If a natural disaster prevents a program participant from*
16 *completing one of the required years of teaching service due to*
17 *the interruption of instruction at the employing accredited*
18 *California college or university, the term of the loan assumption*
19 *agreement shall be extended for the period of time equal to the*
20 *period from the interruption of instruction at the employing*
21 *accredited California college or university to the resumption of*
22 *instruction. The commission shall make no further payments*
23 *under the loan assumption agreement until the applicable*
24 *teaching requirements specified in Section 69616.3 have been*
25 *satisfied.*

26 SEC. 11. *Section 69616.5 of the Education Code is amended*
27 *to read:*

28 69616.5. (a) The commission shall accept nominations from
29 accredited colleges and universities made pursuant to this article.

30 (b) The commission shall choose from among those
31 nominations *of undergraduate students* deemed financially needy
32 with outstanding student loans pursuant to Article 1.5
33 (commencing with Section 69503), *and of graduate students with*
34 *outstanding student loans*, based upon criteria that may include,
35 *but are not necessarily limited to, all of the following:*

36 (1) Grades at the undergraduate level in a subject field related
37 to nursing.

38 (2) Grades in the undergraduate program.

39 (3) Aptitude for graduate work in the field of nursing.

40 (4) General aptitude for graduate study.

1 (5) Critical human resource needs.

2 (c) The commission may develop additional criteria for the
3 selection of award recipients consistent with the purposes of this
4 article.

5 SEC. 12. Article 3.51 (commencing with Section 78260) is
6 added to Chapter 2 of Part 48 of the Education Code, to read:

7
8 Article 3.51. Nursing Faculty
9

10 78260. (a) In order to further the state's interests in a major
11 expansion in the number of trained nurses in California, the
12 Legislature finds that it is necessary to assure a significant
13 expansion in the number of qualified nursing faculty at
14 California community colleges. Therefore, the Legislature hereby
15 creates the California Community Colleges Nursing Faculty
16 Recruitment and Retention Program in the Chancellor's Office of
17 the California Community Colleges for purposes of facilitating
18 the recruitment and retention of qualified nursing faculty. The
19 Chancellor of the California Community Colleges shall allocate
20 funds on a competitive grant basis to community college districts
21 that commit to sustained increases in the number of full-time
22 equivalent students taught in the district's nursing programs, as
23 specified by the chancellor, and that also commit to the terms
24 and conditions specified in this section.

25 (b) It is the intent of the Legislature that the grant amount to
26 each participating district be based on the number of full-time
27 faculty at the district who are in their first through fifth year of
28 service as an instructor in a California Community College
29 nursing program in the fiscal year for which funds are disbursed,
30 not exceed a total of thirty thousand dollars (\$30,000) disbursed
31 over a five-year period with a maximum of ten thousand dollars
32 (\$10,000) in any one year. The disbursement may be based on
33 the following schedule:

34 (1) Ten thousand dollars (\$10,000) for each instructor in his
35 or her first year.

36 (2) Eight thousand dollars (\$8,000) for each instructor in his
37 or her second year.

38 (3) Six thousand dollars (\$6,000) for each instructor in his or
39 her third year.

1 (4) *Four thousand dollars (\$4,000) for each instructor in his*
2 *or her fourth year.*

3 (5) *Two thousand dollars (\$2,000) for each instructor in his or*
4 *her fifth year.*

5 (c) *Notwithstanding subdivision (b), it is the intent of the*
6 *Legislature that each district should be free, through its shared*
7 *governance and collective bargaining relationships, to allocate*
8 *actual payments to faculty in their first through fifth years of*
9 *service as a nursing instructor on a different basis if the district*
10 *finds that its ability to recruit and retain nursing faculty is*
11 *thereby enhanced. In addition, the district may use a portion of*
12 *the grant proceeds to offer incentives to either full-time or*
13 *part-time nursing instructors for the purpose of instruction in*
14 *clinical settings during weekends and evenings. As a condition of*
15 *receiving grant funds, each district agrees to provide the*
16 *chancellor with all data requested by the chancellor on the*
17 *expenditure of funds and program outcomes.*

18 (d) *The chancellor shall report annually by March 1 to the*
19 *Legislature and the Governor on program expenditures and*
20 *outcomes by participating district and college.*

21 SEC. 13. *Article 3.52 (commencing with Section 78261) is*
22 *added to Chapter 2 of Part 48 of the Education Code, to read:*

23
24 Article 3.52. Nursing Students
25

26 78261. (a) *The Legislature finds and declares both of the*
27 *following:*

28 (1) *The Legislature intends to facilitate both the expansion of*
29 *associate degree nursing programs and the improvement in*
30 *completion rates in those programs.*

31 (2) *The Legislature also intends that community colleges*
32 *employ nationally validated diagnostic assessment tools that are*
33 *aligned with national nursing certification requirements. Both*
34 *students and the state benefit when diagnostic assessments are*
35 *supplemented with educational opportunities to assist students in*
36 *meeting skill levels.*

37 (b) *It is the intent of legislature to create a Nursing*
38 *Enrollment Growth and Retention program in the Chancellor's*
39 *Office of the California Community Colleges. The purpose of this*
40 *program shall be to provide grants to community college*

1 *associate degree of nursing programs that either: (1) have low or*
2 *moderate program attrition levels, or (2) provide a*
3 *comprehensive program of diagnostic assessment, prenursing*
4 *preparation, and program-based support to students.*

5 *(c) It is the intent of the Legislature that this program shall be*
6 *funded beginning in the 2006–07 fiscal year by a redirection of*
7 *the ten million dollars (\$10,000,000) provided annually pursuant*
8 *to the Budget Act of 2005, along with an additional investment of*
9 *eight million dollars (\$8,000,000) annually, for a total program*
10 *budget of eighteen million dollars (\$18,000,000) annually. It is*
11 *the intent of the Legislature that these funds shall be*
12 *appropriated annually in the annual Budget Act for a minimum*
13 *of five years.*

14 *(d) The Board of Governors of the California Community*
15 *Colleges and the Chancellor of the California Community*
16 *Colleges may award grants to community college districts with*
17 *associate degree nursing programs to expand enrollment and*
18 *reduce program attrition. Funds shall be used only for the*
19 *following purposes: expanding enrollment, providing diagnostic*
20 *assessments, development, and providing preentry coursework*
21 *and supportive services to enrolled nursing students. Funds may*
22 *also be used to develop alternative delivery models such as*
23 *part-time, evening, weekend, and summer program offerings. In*
24 *order to qualify for these funds, a community college associate*
25 *degree nursing program shall do either of the following:*

26 *(1) Have a program attrition rate as determined by the Board*
27 *of Registered Nursing's Annual School Report of 12 percent or*
28 *less for the year prior to application for funding.*

29 *(2) Commit to implement a comprehensive program of*
30 *diagnostic assessment, prenursing preparation, and program*
31 *based support to students, as defined in this article.*

32 *(e) The chancellor's office shall do all of the following:*

33 *(1) Identify, in collaboration with community college associate*
34 *degree nursing programs, nationally validated diagnostic*
35 *assessment tools that determine the likelihood of academic*
36 *success in registered nursing education programs.*

37 *(2) Establish, in collaboration with community college*
38 *associate degree nursing programs, the systemwide proficiency*
39 *level necessary for academic success for each diagnostic*
40 *assessment tool.*

1 (3) Define the kinds of educational and support services that
2 qualify for funding under this program.

3 (f) As a condition of receiving grants under paragraph (2) of
4 subdivision (d), a community college district shall, at a minimum,
5 do all of the following:

6 (1) Utilize diagnostic assessment tools to determine readiness
7 for community college associate degree nursing programs.

8 (2) Develop educational preentry coursework aligned to the
9 entry level nursing standards and curriculum for students who
10 fail to demonstrate readiness based upon the diagnostic
11 assessment tools.

12 (3) Provide access to prenursing coursework that will enable
13 students to obtain the necessary readiness skills.

14 (4) Require that students demonstrate readiness through the
15 diagnostic assessment or successful completion of the prenursing
16 coursework specified above prior to commencing the registered
17 nursing program.

18 (g) As a condition of receiving grant funds pursuant to
19 paragraph (2) of subdivision (d), each recipient district shall
20 report to the chancellor's office the following data for the
21 academic year immediately prior to receiving the grant and for
22 each year of the grant:

23 (1) The number of students enrolled in the nursing program.

24 (2) The number of students taking diagnostic assessments.

25 (3) The number of students failing to meet proficiency levels as
26 determined by diagnostic assessment tools.

27 (4) The number of students failing to meet proficiency levels
28 that enroll in preentry preparation classes.

29 (5) Ensure that students who have been admitted contingent
30 upon meeting proficiency levels are offered admission as soon as
31 feasible after demonstrating readiness.

32 (6) The number of students who successfully complete
33 pre-entry preparation classes.

34 (7) The number of students who enrolled in the associate
35 degree of nursing program.

36 (8) The number of students who completed the associate
37 degree of nursing program and the number of students who pass
38 the National Council Licensure Examination (NCLEX).

1 (h) (1) Data reported to the chancellor under this article shall
2 be disaggregated by age, gender, race, ethnicity, and language
3 spoken at home.

4 (2) The chancellor's office shall compile and provide this
5 information to the Legislature and the Governor by January 10
6 of each year.

7 (i) It is the intent of the Legislature to allocate an additional
8 five million dollars (\$5,000,000) in the 2009–10 fiscal year to
9 add 450 new student enrollments and ten million dollars
10 (\$10,000,000) beginning in the 2010–11 fiscal year and each
11 year thereafter to add 900 new student enrollments.

12 SEC. 14. Article 3.53 (commencing with Section 78262) is
13 added to Chapter 2 of Part 48 of the Education Code, to read:

14
15 Article 3.53. Nursing Resource Centers
16

17 78262. (a) Contingent upon the receipt of funds from the
18 United States Department of Labor, the state shall fund the
19 development of five nursing resource centers that bring together
20 school, hospital, and faculty needs and availability in a
21 regionalized, online format to help schools match their student
22 clinical needs to available openings, assist hospitals to manage
23 their clinical rotation schedules, and facilitate the filling of
24 vacant nursing faculty positions.

25 (b) The Labor and Workforce Development Agency shall
26 contract with the Foundation for California Community Colleges
27 (FCCC) to fund at least five regional nursing resource center
28 startup grants to develop computerized clinical placement and
29 clinical faculty resource systems. Each startup grant shall last
30 for no more than 30 months.

31 (c) The Labor and Workforce Development Agency, in
32 consultation with the FCCC, shall be responsible for developing
33 a request for funding application from hospital and school
34 regional partnerships seeking grant funds and providing
35 technical assistance to communities for the purpose of
36 developing proposals. After grants are awarded, the FCCC shall
37 be responsible for all of the following:

38 (1) Providing access to the computerized, online nursing
39 resource center database and a Web site portal page.

40 (2) Training users of the systems.

1 (3) Consulting on market outreach consultation and other
2 support services.

3 (d) The nursing resource center is subject to copyrights and
4 trademarks and shall remain the exclusive property of the FCCC.

5 SEC. 15. Section 87482 of the Education Code is amended to
6 read:

7 87482. (a) (1) Notwithstanding ~~the provisions of~~ Section
8 87480, the governing board of a community college district may
9 employ any qualified individual as a temporary faculty member
10 for a complete school year but not less than a complete semester
11 or quarter during a school year. The employment of those
12 persons shall be based upon the need for additional faculty
13 during a particular semester or quarter because of the higher
14 enrollment of students during that semester or quarter as
15 compared to the other semester or quarter in the academic year,
16 or because a faculty member has been granted leave for a
17 semester, quarter, or year, or is experiencing long-term illness,
18 and shall be limited, in number of persons so employed, to that
19 need, as determined by the governing board.

20 ~~Such employment~~

21 (2) Employment of a person under this subdivision may be
22 pursuant to contract fixing a salary for the entire semester or
23 quarter.

24 (b) No person, other than a person serving as clinical nursing
25 faculty and exempted from this subdivision pursuant to
26 subdivision (c), shall be ~~so~~ employed by any one district under
27 this section for more than two semesters or three quarters within
28 any period of three consecutive years.

29 (c) Notwithstanding subdivision (b), a person serving as
30 clinical nursing faculty may be employed by any one district
31 under this section for up to four semesters or six quarters within
32 any period of three consecutive academic years between July 1,
33 2007, and June 30, 2014, inclusive. The chancellor shall report,
34 in writing, to the Legislature and the Governor on or before
35 September 1, 2012, on the number of clinical nursing faculty who
36 have served up to four semesters or six quarters under this
37 subdivision and the districts in which these individuals were
38 employed.

39 SEC. 16. Article 7.7 (commencing with Section 89267) is
40 added to Chapter 2 of Part 55 of the Education Code, to read:

1 *Article 7.7. Baccalaureate Degree Nursing Programs*

2
3 89267. *It is the intent of the Legislature:*

4 (a) *That, pursuant to funding to be appropriated in the Budget*
5 *Act of 2007, the trustees should increase, by at least 340, the*
6 *number of full-time equivalent students in baccalaureate degree*
7 *nursing programs, beginning in the 2007–08 fiscal year.*

8 (b) *That, pursuant to funding to be appropriated in the Budget*
9 *Act of 2007, the trustees provide a report to the Governor and*
10 *the Legislature on or before March 15, 2007, on the proposed*
11 *expenditure plans to expand nursing programs to enroll an*
12 *additional 340 full-time equivalent students as a result of the*
13 *funds appropriated in the Budget Act of 2007.*

14 (c) *To support the expansion of future baccalaureate degree*
15 *nursing enrollment with annual appropriations in the state*
16 *Budget Act.*

17 SEC. 17. *Article 5 (commencing with Section 128050) is*
18 *added to Chapter 2 of Part 3 of Division 107 of the Health and*
19 *Safety Code, to read:*

20
21 *Article 5. Healthcare Workforce Clearinghouse*

22
23 128050. *The Office of Statewide Health Planning and*
24 *Development shall be responsible for establishing a healthcare*
25 *workforce clearinghouse to serve as the central source of health*
26 *care workforce and educational pipeline data in the state. The*
27 *clearinghouse shall be responsible for the collection, analysis,*
28 *and distribution of information on the educational and*
29 *employment trends for health care occupations in the state.*

30 128051. *The Office of Statewide Health Planning and*
31 *Development shall work with the Employment Development*
32 *Department's Labor Market Information Division, state licensing*
33 *boards, and state higher education entities to collect all of the*
34 *following data:*

35 (a) *The current supply of health care workers, by specialty.*

36 (b) *The geographical distribution of health care workers, by*
37 *specialty.*

38 (c) *The diversity of the health care workforce, by specialty.*

39 (d) *The current and forecasted demand for health care*
40 *workers, by specialty.*

1 (e) *The educational capacity to produce trained, certified and*
2 *licensed health care workers, by specialty and by geographical*
3 *distribution.*

4 128052. *The Office of Statewide Health Planning and*
5 *Development shall prepare an annual report to the Legislature*
6 *that does all of the following:*

7 (a) *Identifies education and employment trends in the health*
8 *care profession.*

9 (b) *Reports on the current supply and demand for health care*
10 *workers in California and gaps in the educational pipeline*
11 *producing workers in specific occupations and geographic areas.*

12 (c) *Recommends state policy needed to address issues of*
13 *workforce shortage and distribution.*

14 SEC. 18. *The Legislature finds and declares that the*
15 *amendments made by Sections 6 to 11, inclusive, of this act to the*
16 *State Nursing Assumption Program of Loans for Education*
17 *(SNAPLE) (Article 5.3 (commencing with Section 69616) of*
18 *Chapter 2 of Part 42 of the Education Code) enhance the*
19 *administration of the program. Therefore, it is the intent of the*
20 *Legislature that these amendments shall apply retroactively to*
21 *any existing loan assumption agreements made before the*
22 *effective date of this act. The Student Aid Commission is*
23 *authorized to amend any existing loan assumption agreements,*
24 *and to issue new loan assumption agreements, in order to*
25 *conform to the amendments made by Sections 6 to 11, inclusive,*
26 *of this act.*

27 ~~SEC. 3.~~

28 SEC 19. (a) The sum of _____ dollars (\$_____) is
29 hereby appropriated, without regard to fiscal years, from the
30 General Fund to the Chancellor of the California Community
31 Colleges in accordance with the following schedule:

32 (1) _____ dollars (\$_____) to administer a
33 contract entered into to develop regional computer clinical
34 placement and clinical faculty resource center systems.

35 (2) _____ dollars (\$_____) to administer a
36 matching grant program, and to allocate funds under that
37 program to community college districts to establish or expand
38 clinical nursing simulation laboratories, with joint or
39 collaborative proposals involving the use of clinical nursing
40 simulators getting priority for funding. Funds may be allocated

1 under this paragraph only to community college districts that
2 agree to train faculty to use clinical nursing simulators.
3 (b) For the purpose of making the computations required by
4 Section 8 of Article XVI of the California Constitution, to the
5 extent that the funds appropriated by this section are allocated to
6 community college districts, they shall be deemed to be “General
7 Fund revenues appropriated for community college districts,” as
8 defined in subdivision (d) of Section 41202 of the Education
9 Code for the fiscal year in which they are allocated, and be
10 included within the “total allocations to school districts and
11 community college districts from General Fund proceeds of taxes
12 appropriated pursuant to Article XIII B,” as defined in
13 subdivision (e) of Section 41202 of the Education Code, for that
14 fiscal year.